

REMARKS

Upon entry of the above amendment, claims 1, 2, 5-9 and 11 will have been amended, claim 4 will have been canceled, and claims 12-17 will have been newly added. In view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections together with allowance of all pending claims.

Initially, Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority and receipt of the certified copy of the priority document. Applicants also note with appreciation the Examiner's consideration of the documents cited in the Information Disclosure Statement, filed June 1, 2004.

Furthermore, Applicants thank the Examiner for indicating that claims 9-11 are allowed and that claims 4-7 would be allowable if rewritten in independent form.

In the Official Action, the Examiner rejected claims 1-3 under 35 U.S.C. §102(b) as being anticipated by NAKATSUNO et al. (U.S. Patent No. 4,901,534). In addition, the Examiner rejected claim 8 under 35 U.S.C. §103(a) as being unpatentable over NAKATSUNO in view of YOSHIDA et al (U.S. Patent No. 6,244,057).

Applicants respectfully traverse the above rejections and submit that they are inappropriate with respect to the claims pending in the present application. In particular, Applicants submit that the rejections are improper as NAKATSUNO

and YOSHIDA, taken alone or in combination, fail to disclose the combination of features as recited in the claims.

For example, the present invention is directed towards, inter alia, providing a detouring path to detour the refrigerant discharged from the outdoor heat exchanger to the compressor upon a defrosting operation, as recited in claim 1. Allowing the refrigerant to circulate in the outdoor unit via the detouring path during a defrosting operation is advantageous in preventing noise from being generated in the indoor unit. Additionally, such features are beneficial in allowing a defrosting operation to be performed without interrupting the heating cycle.

However, Applicants respectfully submit that NAKATSUNO fails to disclose or even suggest the above mentioned combination even when modified in view of the teachings of YOSHIDA.

Nevertheless, to expedite prosecution, Applicants have amended claim 1 to incorporate the features of claim 4 (without the features of intervening claim 2). Accordingly, as amended claim 1 is submitted to be both in condition for allowance and allowable, Applicants respectfully request an indication to such effect.

Further, Applicants have also made various cosmetic changes to the claims to enhance the clarity thereof. As discussed above, the amendments submitted herein have not been made in view of prior art. Rather, the amendments should be considered to have been made for a purpose unrelated to patentability and no estoppel should be deemed to attach thereto.

Additionally, Applicants submit new claims 12-17 for the Examiner's consideration. Independent claim 12 is believed to be allowable at least because it corresponds substantially to objected to claim 6 in independent form. Further, with regards to new claims 13-17, Applicants assert that they are allowable on their own merit, as well as because they depend either directly or indirectly on independent claim 12, which Applicants have shown to be allowable.

Thus, in view of the amendments and arguments herein, Applicants submit that independent claims 1, 9, and 12 are in condition for allowance. Applicants further submit that dependent claims 2-3, 5-8, 10-11, and 13-17 are allowable on their own merit, as well as because they depend either directly or indirectly on independent claims 1, 9, and 12, which Applicants have shown to be allowable.

Thus, it is respectfully submitted that all of the claims in the present application are clearly patentable over the references cited by the Examiner, either alone or in combination, and an indication to such effect is respectfully requested, in due course.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections of the claims, as well as an indication of the allowability of each of the claims, including newly submitted claims 12-17, in view of the herein-contained remarks.

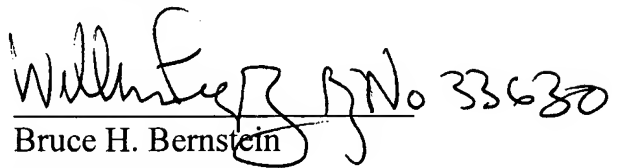
SUMMARY AND CONCLUSION

Applicants believe that the present application is in condition for allowance, and respectfully request an indication to that effect. Applicants have amended the claims to enhance clarity and argued their allowability. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the recited claims therein are respectfully requested and now believed to be appropriate.

The amendments to the claims, which have been made in this amendment, have not been specifically noted to overcome a rejection based upon the prior art and should be considered to have been made for a purpose unrelated to patentability. Accordingly, no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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